



**ConwayCourt**  
—Reporting—

Transcript of the Testimony of  
**WARDEN STEPHEN ARNOLD**

**Date: NOVEMBER 15, 2018**

**Re: SHIPP VS. CORRECT CARE SOLUTIONS, LLC, ET  
AL**

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1 Q Okay. So you don't know -- you don't have any testimony  
2 as far as whether that was done or not?  
3 A No.  
4 Q And you --  
5 A The only testimony I have is that the resident would have  
6 been told he needed to see Medical.  
7 Q And that's from your handwriting there?  
8 A That's correct.  
9 Q And you called them "special shoes"; right?  
10 A "If you need special shoes, you will need to see Medical."  
11 Q Why do you call them "special shoes"?  
12 A Because that's what he says.  
13 Q Okay. He calls them "orthotics"; right?  
14 A Okay. And I'm -- obviously, based on my verbiage, I'm not  
15 a medical person. That's why I sent it to Medical.  
16 Q Do you have any family members who have had diabetes?  
17 A Yes. My father has diabetes.  
18 Q When was he first diagnosed with diabetes?  
19 A Oh, probably ten years ago.  
20 Q Does he have concerns about his feet or joints related to  
21 his feet?  
22 A My father is in a facility, and he is in bad health, and I  
23 really don't think that's important to what we're talking about  
24 here.  
25 Q Well, prior to February of 2016, did your father have any

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1 A I referred him to the medical staff, because I'm not a  
2 doctor or a practitioner; I'm an administrator.  
3 Q Do you know why Medical was telling him to send requests  
4 to you?  
5 A I have no idea why Medical was telling him to send  
6 requests to me. It's clearly a medical condition.  
7 Q It's a serious medical condition, isn't it?  
8 A It's clearly a medical issue, and it was referred to  
9 Medical.  
10 Q Is something that can result in an amputation of a foot a  
11 serious medical condition?  
12 A I think, obviously, that's true.  
13 Q And so I want to know, who did you speak with in Medical  
14 after this request was sent to you?  
15 A I am sure I would have talked to Ms. Turner.  
16 Q Okay. So you talked to Ms. Turner on February 1st or  
17 February 2nd --  
18 A I can't tell you what date I talked to her. I'm sure I  
19 would have talked to Ms. Turner.  
20 Q Well, do you know -- if you're saying you're sure you  
21 would have, would you have done it on the 1st, 2nd, or 3rd?  
22 A I can't tell you.  
23 Q Would you have waited a week?  
24 A I wouldn't think so, no.  
25 Q Would you have waited two weeks?

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1 issues with his feet related to his diabetic condition?  
2 MS. MIDDLETON: I will object on relevance.  
3 Q Can you answer?  
4 A I don't want to answer. My father didn't have anything to  
5 do with this case.  
6 Q Does your knowledge of someone with diabetes affect your  
7 decision-making in medical decisions?  
8 A I don't think so.  
9 Q So you don't care what someone's medical conditions are,  
10 do you?  
11 A No, I'm not saying that at all. That's what you said.  
12 That's not what I said. I want to make sure that's clear. I  
13 did not say that.  
14 Q On February of 2016, were you aware that someone with  
15 diabetes could have issues with their feet?  
16 A I sent -- this guy's request every time went to the  
17 medical staff. We had medical staff onboard. I did my due  
18 diligence by getting that person to the medical staff.  
19 Q And what did you do beyond writing that response to make  
20 sure he saw the medical staff?  
21 A I think there's clear --  
22 Q I'm talking about --  
23 A -- in the documents we've looked at, there's clear  
24 follow-through that he was seen by the medical staff.  
25 Q And I'm talking about what you did.

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1 A Of course not.  
2 Q Did you normally communicate with Ms. Turner through  
3 emails or in person?  
4 A Sometimes emails; sometimes in person. Ms. Turner -- we  
5 invited Ms. Turner to our management team meetings as a part of  
6 that, so we communicated a lot. Sometimes were about medical  
7 issues, and sometimes weren't. Sometimes we just communicated  
8 throughout the facility. I did a lot of walking when I was at  
9 that facility.  
10 Q Did you ever speak with Mr. Shipp?  
11 A I'm sure I did.  
12 Q Do you remember him asking you about your -- about his  
13 orthotic shoes?  
14 A I would not be surprised that he did. I was on those  
15 floors every day most days all day. I would go on those floors  
16 at 6:00 in the morning, and I would leave there at 10:00 at  
17 night, so I'm sure I would have had a conversation with Mr.  
18 Shipp.  
19 Q What would your response have been to him if he asked you  
20 about his orthotic shoes?  
21 A I would probably guess that he would have to see Medical,  
22 that I wasn't a doctor.  
23 Q And so February 1st, 2016, is Mr. Shipp's first day there.  
24 A Okay.  
25 Q Do you have any -- do you agree with that?

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1 A I don't know.  
 2 Q Okay. Did you review any documents in preparation for  
 3 today?  
 4 A Sure, sure.  
 5 Q What did you review?  
 6 A I reviewed the documents that you sent to Ms. Middleton  
 7 that were for her review. I guess that's what I had. I got  
 8 the documents that Ms. Middleton gave me.  
 9 Q Describe to me what those documents were.  
 10 A I couldn't tell you. They were -- first, were the  
 11 interrogatories that I answered before, and then there was a  
 12 few other documents, but I can't recall what they are. I think  
 13 they were property forms.  
 14 Q Anything else?  
 15 A I don't remember.  
 16 Q Did you look through any sort of an inmate file for Mr.  
 17 Shipp?  
 18 A An inmate file, no.  
 19 Q Did you look through his medical file?  
 20 A No.  
 21 Q So in response to this February 1st, 2016, request, you  
 22 spoke to Ms. Turner, and you --  
 23 A I'm not saying I spoke to Ms. Turner. I said I probably  
 24 would have talked to Ms. Turner, but I'm not going to tell you  
 25 that I did for sure.

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1 Q Okay. So you don't know --  
 2 A My history would have been that I did that, but I'm not  
 3 telling you I did that.  
 4 Q Okay. So if a resident asks you about a medical decision,  
 5 you speak with Ms. Turner?  
 6 A I would think so, yes.  
 7 Q You would want Medical to know; and if the resident is  
 8 telling the warden, "I have an issue with a medical device,"  
 9 you want to convey to Medical what that issue is?  
 10 A I would think so.  
 11 Q Okay. And if you didn't, you failed to pass along that  
 12 information?  
 13 A I referred that resident to Medical. This was a medical  
 14 decision. I referred the resident to Medical.  
 15 Q Okay. Is this the request that you believe you talked to  
 16 Wade Hodge about?  
 17 A I'm not sure.  
 18 Q Okay. So it could have been another request?  
 19 A I'm not sure.  
 20 Q Okay. Let's go to the next document there. What's this  
 21 document?  
 22 A It looks like it was a request for an interview. It was  
 23 sent to me on the 12th.  
 24 Q Who was it sent by?  
 25 A It's sent by Craig Shipp.

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1 Q And when you say the 12th, is that February of --  
 2 A February the 12th of '16. It shows it was signed by me on  
 3 the 12th, and I sent it to Medical.  
 4 Q Okay. Describe to me on the detailed reason for request.  
 5 A The reason he says, he has an open wound on his left foot,  
 6 and the specific name, the Charcot joint, on left foot causing  
 7 bones to break down; needs special orthotics.  
 8 Q Okay. What is your response to him?  
 9 A My response was, I sent it to Medical.  
 10 Q And you put, "Medical," question mark; is that correct?  
 11 A Right. Right. And then it was signed off by LeNora  
 12 Turner on the 15th. I sent it to Medical because I wanted them  
 13 to respond. And she signed it right there, which means she got  
 14 it.  
 15 Q I agree. So on this form, it's signed by you and it's  
 16 sent to Medical, and this one has a response by LeNora Turner?  
 17 A It just has a signature. It doesn't have a response; it  
 18 just has a signature.  
 19 Q Well, what's that below his handwriting?  
 20 A Where? Here?  
 21 Q Yes.  
 22 A "This must be addressed in a sick call due to it has to be  
 23 evaluated for medical necessity by the doctor." So I'm  
 24 guessing that was her response.  
 25 Q Okay. And so that form shows that Medical received it and

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1 Medical gave a response?  
 2 A Okay.  
 3 Q Do you agree with that?  
 4 A That's what it looks like, yes.  
 5 Q Let's go back to the February 1st form.  
 6 A Okay.  
 7 Q Do you see Ms. Turner's handwriting there?  
 8 A I don't see it.  
 9 Q On this form, you signed the respondent's signature;  
 10 correct?  
 11 A I did. I sent it back and said, "If you need special  
 12 shoes, you will need to go to see Medical."  
 13 Q And on the February 12th one, you didn't sign that line,  
 14 did you?  
 15 A You're telling me that he got here on the 1st. You're  
 16 telling me that he arrived on the 1st --  
 17 Q Yes.  
 18 A -- is that right? On the 1st, he was in administrative  
 19 segregation.  
 20 Q I'm talking about these forms right now, sir.  
 21 A Well, but I'm talking about times, because you're talking  
 22 about different stuff; okay? If he was in Ad Seg --  
 23 Q What am I talking about?  
 24 A -- if he was in Ad Seg, he would have had to talk to the  
 25 medical provider while he was in Ad Seg. If he got there on